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June 6, 1994

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Office of the Secretary
Federal Communications Commission
Washington, DC 20554

RE: Comments on Notice of Proposed Rulemaking - CC Docket No. 92-237

Dear Secretary:

Enclosed is an original and nine (9) copies of COMMENTS OF THE MISSOURI PUBLIC SERVICE COMMISSION in response to the Administration of the North American Numbering Plan. Please date stamp the enclosed copy and return to our office in the envelope provided.

Sincerely,

Colleen M. Dale/ck

Colleen M. Dale
Deputy General Counsel
314-751-8701

CMD:ck

Enclosures

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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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JUN 07 1994

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In the Matter of)
Administration of the) CC Docket No. 92-237
North American Numbering Plan)

COMMENTS OF THE
MISSOURI PUBLIC SERVICE COMMISSION

In its NOTICE OF PROPOSED RULEMAKING in this matter, the Federal Communications Commission (the "FCC") seeks comments concerning changes to the administration of the North American Numbering Plan. The Missouri Public Service Commission (the "MoPSC") hereby comments on certain aspects of the plan that relate to Phase Two of the docket, as follows:

I. THE MoPSC SUPPORTS A TRANSITION PERIOD OF AT LEAST SIX YEARS.

The Notice of Proposed Rulemaking tentatively concludes that a transition period of six years will be sufficient to allow telecommunications companies to change from three-digit carrier identification codes to four-digit carrier identification codes without necessitating the premature retirement of existing switching equipment.

The MoPSC generally supports the concept of a transition period of at least six years, but does question how such a transition period can be administered. If there is to be a transition period, then there must be a way for all carriers to reach and serve exchanges that can only support three-digit codes. There may be a way to ration three-digit codes¹ or there may be a way to translate four-digit codes into three-digit codes at the tandem.² If a transition method that arbitrarily prevented a group of carriers from serving any portion of Missouri on at least reasonably equivalent terms, the MoPSC questions whether that would constitute "equal access".

As a "flash-cut" change will require significant expenditure for certain companies,³ a transition period of some duration seems reasonable. We note that plans to change to four-digit codes were announced preliminarily approximately six years ago. Perhaps such announcements can be made with more certainty in the future to clearly put carriers on notice of a "drop dead date" by which they must have the necessary equipment in place, so that little "grandfathering" will be needed.

¹ This solution may not last for the full six years, as the number of interexchange carriers grows, unless carriers devise a way to classify their traffic without reliance on the carrier identification codes. It may be possible to assign four-digit codes for types of traffic unlikely to occur in small exchanges that cannot accommodate four-digit codes, for example, software-defined network calls, but even this solution may present significant difficulties for some carriers.

² We note that this may present a significant problem for direct-trunked transport, as there would be no tandem at which such a translation could be made. We note also that while such a translation is technically feasible, it introduces an additional point of potential network failure, which raises significant questions concerning inter-company liability.

³ The estimated impact on one small Missouri company is \$11 million in initial costs to replace its existing digital electronic switching equipment in order to accommodate four-digit codes. The manufacturer of the company's present switching equipment will not support equal access on these switches with four-digit codes.

II. THE MoPSC DOES NOT SUPPORT REQUIRING LOCAL EXCHANGE CARRIERS TO CEASE SCREENING AND COMPLETING CERTAIN INTERSTATE INTRALATA 1+ CALLS.

At the outset, the MoPSC wishes to clarify its interpretation of Paragraph 58 of the Notice. In Missouri, most of the LATAs cross state boundaries. In the Kansas City area, local exchange areas cross the state line. The Metropolitan Calling Area ("MCA") Plan devised by the MoPSC encompasses exchanges in both Kansas and Missouri. The MoPSC does not believe that the FCC meant to include such calls in this inquiry, as they are not "1+" MTS calls. Further, even if the MCA calls were "1+", the fact that the telephone was subscribed to the MCA would provide the necessary indication mentioned in the phrase, "unless the preliminary routing numbers indicate otherwise." If this interpretation of Paragraph 58 is incorrect⁴ and these calls would have to be handed off to an interexchange carrier, then the MoPSC would very strongly oppose the requirement.

Presuming that the MCA and local calls are excluded, the MoPSC generally opposes requiring the local exchange telecommunications company to cease screening and completing interstate, intraLATA 1+ MTS calls, in light of the interLATA restriction presently placed on some local exchange telecommunications companies by the Modified Final Judgment. Due to the interLATA restriction fairness would require that there be a system in place whereby customers could select two primary interexchange carriers ("PICs"), one for interLATA and one for intraLATA- interstate⁵. It appears that an in-tandem translation could handle multiple PICs, but

⁴ See generally, In re Determination of Interstate and Intrastate Usage of Feature Group A and Feature Group B Access Service, CC Docket No. 85-124, December 22, 1988.

⁵ It may not be possible to distinguish between interstate, intraLATA calls from intrastate, intraLATA calls without using a third PIC, which would be very costly and is, to

this would be very costly⁶ and would necessitate that an access element in the form of a tandem termination charge be added to the existing access elements. Due to these and other concerns, it seems premature to require local exchange companies to cease screening and completing those 1+ calls.⁷

Respectfully submitted,



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our knowledge, untried.

⁶ Issues such as which jurisdiction will bear the costs are unresolved.

⁷ In addition, certain pending legislation relating to the MFJ restrictions may make many of our concerns moot. It seems sensible to wait for the results of those pending matters before incurring the expense to set up a two-PIC system that may be unnecessary within a few years.